



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Strand et al. Confirmation No.: 5291

Application No.: 10/542,493 Group Art Unit: Not Yet Assigned

Filed: July 15, 2005 Examiner: Not Yet Assigned

Title: METHOD AND APPARATUS FOR DETERMINING THE ISOELECTRIC POINT OF CHARGED ANALYTE

\*\*\*\*\*  
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed February 22, 2006 (a copy of which is enclosed), Applicant as a small entity submits herewith the following:

1. Copy of Notification of Missing Requirement Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pp.);
2. Joint Declaration for Patent Application executed by the named inventors (3 pp.);
3. Fee Transmittal for FY 2006 for payment of the surcharge of \$65.00 (late filing of the basic filing fee and declaration) (1 pg.);
4. Certificate of Express Mail (1 pg.); and
5. Return receipt postcard.

Response To Notification Of Missing Requirements Under 35 U.S.C. 371

U.S.S.N. 10/542,493

Page 1 of 2

**ATTORNEY DOCKET NO. 005092.00076**

**PATENT**

Please apply the above noted fees of \$65.00, and any charges or credits to Deposit Account No. 19-0733.

Respectfully submitted,

Dated: April 24, 2006

By   
Peter D. McDermott, Reg. No. 29,411  
BANNER & WITCOFF, LTD.  
28 State Street, 28th Floor  
Boston, MA 02109  
(617) 720-9600

Response To Notification Of Missing Requirements Under 35 U.S.C. 371

U.S.S.N. 10/542,493

Page 2 of 2

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/542,493	David Strand	005092.00076

22910  
 BANNER & WITCOFF, LTD.  
 28 STATE STREET  
 28th FLOOR  
 BOSTON, MA 02109-9601



INTERNATIONAL APPLICATION NO.	
PCT/US04/00630	
I.A. FILING DATE	PRIORITY DATE
01/12/2004	01/15/2003

CONFIRMATION NO. 5291  
 371 FORMALITIES LETTER



\*OC000000018075093\*

Date Mailed: 02/22/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2005
- Copy of the International Search Report filed on 07/15/2005
- Copy of IPE Report filed on 07/15/2005
- Preliminary Amendments filed on 07/15/2005
- Information Disclosure Statements filed on 09/01/2005
- Biochemical Sequence Diskette filed on 07/15/2005
- Biochemical Sequence Listing filed on 07/15/2005
- Small Entity Statement filed on 07/15/2005
- Copy of references cited in ISR filed on 07/15/2005
- U.S. Basic National Fees filed on 07/15/2005
- Specification filed on 07/15/2005
- Claims filed on 07/15/2005
- Abstracts filed on 07/15/2005
- Drawings filed on 07/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

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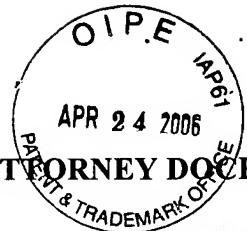
Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,493	PCT/US04/00630	005092.00076

FORM PCT/DO/EO/905 (371 Formalities Notice)



84-25-06

IAP7 Rec'd PCT/PTO 24 APR 2006

ATTORNEY DOCKET NO. 005092.00076

PATENT

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAIL"Express Mail" Label No. EV 81448885 USDate of Deposit: April 24, 2006

I hereby state that the following:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) Application (2 pp.);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pp.);
3. Joint Declaration for Patent Application executed by the named inventors (3 pp.);
4. Fee Transmittal FY 2006 for payment of the surcharge of \$65.00 (late filing of the basic filing fee and declaration) (1 pg.); and
5. Return Receipt Postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the

04/28/2006 MKAYPAGH 00000151 190733 10542493 Certificate Of Express Mail  
01 FC:2617 65.00 DA U.S.S.N. 10/542,493  
Page 1 of 2

Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Karen E. Crespo

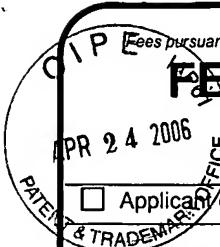
Karen E. Crespo

Signature of person mailing paper or fee  
BANNER & WITCOFF, LTD  
28 State Street, 28<sup>th</sup> Floor  
Boston, MA 02109  
Telephone: (617) 720-9600  
Facsimile: (617) 720-9601

Certificate Of Express Mail  
U.S.S.N. 10/542,493

Page 2 of 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 <b>FE TRANSMITTAL</b> <b>for FY 2006</b>		<b>Complete If Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/542,493</td> </tr> <tr> <td>Filing Date</td> <td>0715/05</td> </tr> <tr> <td>First Named Inventor</td> <td>Strand et al.</td> </tr> <tr> <td>Confirmation No.</td> <td>5291</td> </tr> <tr> <td>Art Unit</td> <td>TBD</td> </tr> <tr> <td>Attorney Docket No.</td> <td>005092.00076</td> </tr> </table>		Application Number	10/542,493	Filing Date	0715/05	First Named Inventor	Strand et al.	Confirmation No.	5291	Art Unit	TBD	Attorney Docket No.	005092.00076
Application Number	10/542,493														
Filing Date	0715/05														
First Named Inventor	Strand et al.														
Confirmation No.	5291														
Art Unit	TBD														
Attorney Docket No.	005092.00076														
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT	(\$65.00)														

**METHOD OF PAYMENT** (check all that apply)

- Check    Credit Card    Money Order    None    Other (please identify) : \_\_\_\_\_
- Deposit Account   Deposit Account Number: 19-0733   Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below    Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s)    Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<b>Application Type</b>	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	
				<b>Fee (\$)</b>	<b>Fee (\$)</b>
—20 or HP=	—	X —	= —	50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
				360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	
				<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
—20 or HP=	—	X —	= —	—	—
HP = highest number of total claims paid for, if greater than 20.				—	—

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	
				<b>Fee (\$)</b>	<b>Fee (\$)</b>
—3 or HP=	—	X —	= —	—	—
HP = highest number of independent claims paid for, if greater than 3.				—	—

**3. APPLICATION SIZE FEE**

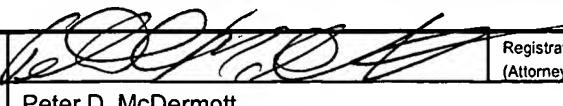
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
—100 = —	/ 50 = —	(round up to a whole number) X	= —	—

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Response to Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US) **\$65.00**

<b>SUBMITTED BY</b>			
Signature			Registration No. (Attorney/Agent) 29,411
Name (Print/Type)	Peter D. McDermott		
	Telephone	617-720-9600	
	Date	04/24/06	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.